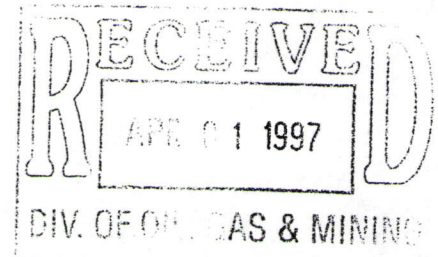


m/003/031

Utah Building Stone Supply
William L Bown, Preston Bown
842 West 400 North
West Bountiful, Utah 84087



Cause # m/003/031
Docket # 97-007

State of Utah
Dept. of Natural Resources
Division of Oil, Gas, and Mining
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84114-5801

28 Mar. 1997

APPEAL OF DIVISION ORDER

To Whom It May Concern:

Please be advised that we are herewith submitting a Request for Agency Action for a formal hearing before the Board with regard to Division Order of 3/25/97.

We appeal said order on the grounds that our operation upon the subject area constitutes a "casual use" of the resource with no surface disturbance incident to those operations current or proposed. That area roads utilized by our interests predominantly pre-existed as Public Prescriptive Easements our venturing thereon, and therefore, cannot be classified as areas of surface disturbance incident to our operations.

We beg the Board to understand that it is not our aim to dodge regulation. We do not, however, desire to be over-regulated. To classify said area and operation as a Large Mine, despite the obvious facts which beg a smaller, less regulated status is clearly the result of a good idea gone askew.

We request that the Board examine all facts of this appeal as they relate to the true and professed purpose of the Utah Mined Land Reclamation Act, and render a determination in this matter that is just and fair, and consistent with that purpose. We await notice of the time and date for the so requested HEARING..

Sincerely,

William L Bown
William L Bown

Preston Bown
Preston Bown